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COCOM Doc. 3416.35/14

Date: June 25, 1959

COORDINATING COMMITTEE

MEMORANDUM FROM THE UNITED STATES DELEGATION

CONCERNING

THE REDEFINITION OF ITEM 1635(b)

References: COCOM Documents 3416.00/1, 3416.35/1 through 13

1. The United States has carefully examined the redefinition proposals for Item 1635(b) and the Committee discussions thereon and concludes there is general agreement that stabilized steels of primary military use should be embargoed. The major problems needing resolution appear to be the establishment of a cut-off for the total of alloying elements so as to free steels of primary civilian use, and a method of computing the alloying elements. It is obvious that some steels caught by the present definition are primarily civilian (e.g. AISI type 309 S-CB-TA); however, the United States has come to the conclusion that there is no cut-off which will both free all primarily civilian steels and embargo all steels of primary military use, since end-use is not determined by the total of alloying elements.

2. The United States considered the possibility of a definition specifically listing steels to be embargoed but feels that such a definition would be subject to evasion through orders of non-standard special alloys. Furthermore, a definition of this sort might cause difficulty for member-countries with no significant military programs in determining the probable use of the standard steels they produce.

3. Because of the difficulties outlined above, the United States suggests that a fruitful approach would be to establish a cut-off which would embargo all stabilized steels of primary military use but would specifically exempt from embargo standard stabilized steels of primary civilian use. The United States therefore proposes the following definition:

Nickel-bearing steels, n.e.s., containing a total of 30% or more of alloying elements, except such steels containing less than 0.4% of niobium or tantalum or combination thereof or 0.5% titanium and except the following, or equivalent thereof: AISI types 309 S-CB-TA; INCO 425; CROLOY 15-15N; and EME.

Note: In computing the total of alloying elements maximum percentages for these elements shall be used. The 30% cut-off must not be exceeded to take account of manufacturing or other tolerances. The presence of carbon, phosphorous and sulphur can be ignored. Silicon and manganese can also be ignored where these are impurities.

4. Should other member-countries wish to propose the addition of other steels to those that would be excluded by the definition proposed above, the United States trusts that additional exclusions would be suggested only for steels which, considering the nature of the Soviet military program, can reasonably be expected to have predominant civilian use in the Soviet Bloc.

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5. It will be noted that the definition proposed in paragraph 3 is essentially the same as the definition now in effect, with the following modifications:

- (a) Carbon, phosphorous and sulphur are excluded from the count of alloying elements;
- (b) Silicon and manganese are also excluded except when they are added for alloying effect;
- (c) The titanium cut-off is raised to 0.5%;
- (d) The total alloying element count has been dropped slightly, from 32% to 30%, in order to assure that, while steels of primarily civilian application are freed, steels used primarily for military purposes are embargoed.

It will be noted particularly that under this United States approach, steel of AISI type 309 S-CB-TA, which, despite its civilian nature, is embargoed under the present definition and would continue to be embargoed under the United Kingdom proposal, would be excluded from the embargo definition.

6. The United States believes that the definition proposed above is a realistic method of embargoing nickel-bearing steels of primary military use in the Sino-Soviet Bloc. The United States authorities are prepared to provide a technical expert to assist in establishing an exclusion list agreeable to all members, if the Committee so desires.

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